

## REVENUE SECRETARIAT.

## Minor Forests.

READ:—The following is the substance of the letter from the

Paragraph 181 of the four notes of the Officiating Dewan (Mr. A. R. Banerji) in the Tumkur, Hassan and Kadur Districts during January 1919, in the matter of the complaints made by the raiyats in those districts against the restrictions imposed by the Forest Department.

Government Order No. R. 21-25—Ft. 168-18-4, dated the 22nd October, 1920, constituting, on the Revenue Commissioner's recommendation, a Committee of the marginally noted officers to consider the question and submit definite recommendations in the matter, as the several officers consulted by the Revenue Commissioner differed

widely in their opinions on the subject.

3. Government Order No. R. 12646—Ft. 164-20-4, dated the 12th May 1921, referring back the recommendations sent up by the Committee appointed in the above Government Order for a reconsideration of the subject in the light of certain observations made by Government.

4. Letter No. C. 3733—Gl. 18-19, dated the 17th-21st January 1922, from the Revenue Commissioner submitting the final recommendations of the Committee.

ORDER NO. F. C. 239-297—Ft. 164-20-11, DATED 14TH JULY, 1924.

The raiyats, especially of the Malnad parts of the State, have been repeatedly urging upon the Government at the sessions of the Representative Assembly and during the tours of His Highness the Maharaja and the Dewan, the inconvenience felt by them in the matter of obtaining their fuel and fodder requirements freely from the District Forests owing to the exploitation of these forests by the Forest Department. The system of dual control now exercised by the Forest and the Revenue Departments over the District Forests has also been the subject of considerable criticism and it has been repeatedly urged that the control over the District Forests should be entirely vested in the Revenue Department as the officers of the Forest Department cannot be expected to realise the actual needs of the raiyat population, and as the system now in vogue of both the Forest and the Revenue Departments issuing permits for the removal of produce from District Forests has led to much abuse and unnecessary duplication of work.

2. The Forest Regulation contemplates the formation of only two kinds of forest, viz., Village Forests and State Forests, all other lands at the disposal of Government which are not comprised in State Forests or Village Forests being termed as "District Forests" as defined in Section 2 (13) of the Regulation. Under Section 35 of the Forest Regulation, Government have framed rules for the management of District Forests in their Order No. 245-1300, dated 2nd October 1901. According to these rules, raiyats living in the villages to which the District Forests are attached can take wood of unreserved and unclassified kinds, except such as are required for house-building purposes, without permit and free of charge, for their *bona fide* domestic or agricultural use. They can also remove dead wood and dry wood, other than of the reserved kinds, for fuel, and graze their cattle in the gomal lands without payment and in the hulbanni lands on payment of fees. In the Malnad owing to the peculiar conditions of the locality, the privileges enjoyed by the raiyats have been made more liberal by the grant of certain additional concessions in accordance with Government Order No. R. 9790—Ft. 75-18-6, dated 26th February 1920.

3. According to the rules for the management and exploitation of District Forests, the control over the working of these forests vests now both in the Revenue and the Forest Departments. Where the District Forests have valuable tree growth, as in the Malnad, and contain much more exploitable material than is likely to be required by the raiyats for their *bona fide* requirements, it is quite necessary that the stock should be extracted and disposed of to the best advantage of Government. The agency that is able to do so and does it now is the Forest Department.

174

4 The raiyats have however, never looked upon the unrestricted exploitation of the District Forests by the Forest Department with favour. Repeated representations have been made to Government in the matter of entrusting the entire control of these forests to the Revenue Department. In 1919, on the representation made to the Dewan by the raiyats of the *Malnad* Districts in the course of his tour in those districts, he considered that the question of placing some selected areas entirely under the control of the Deputy Commissioners might be tried. The Deputy Commissioners of the *Malnad* Districts were consulted in the matter, but as they differed in their views, the Government appointed a Committee of the marginally noted officers, to examine the whole question and submit recommendations. The final report of the Committee not having been comprehensive, it was referred back to the Committee for further consideration of the subject and submission of definite recommendations in the light of the observations made by Government.

5. The Committee have accordingly submitted the following recommendations:—  
(1) *Classification of Forests*.—In lieu of the term "District Forests" the designation "Minor Forests" may be adopted as suggested by Government so that there may be three classes of forests, viz.

- (i) State Forests—completely under the control of the Forest Department;
- (ii) Village Forests—under the control of the Revenue Department and handed over to the villagers for management by a *Ranchayat*; and
- (iii) Minor Forests—under the restricted control of the Forest Department with due regard to the existing rights and privileges of the raiyats.

2. *Definition of "Minor Forests"*.—"Minor Forests" are to consist of compact blocks of lands with sufficient tree growth capable of being in the interests of the local population and of Government. All assessed waste lands as well as other scattered bits of unreserved Government land which now come under the definition of District Forests should be excluded from Minor Forests. The ultimate aim should be the gradual conversion of these Minor Forests either into State or Village Forests according to their condition and the needs of the raiyats.

(3) *Management of Minor Forests*.—The technical management of these Minor Forests should vest in the Forest Department, subject to the following conditions:—

- (i) These forests should be worked according to working plans to be prepared by the District Forest Officer and approved by the Deputy Commissioner; due provision being made for the exercise of the privileges and concessions now enjoyed by the raiyats.
- (ii) The Deputy Commissioner should have power to modify the plans as far as they relate to the disposal of grazing, fuel, and unreserved timber, and for forest even the same.
- (iii) In the case of the working plans of valuable timber yielding forests in the *Malnad* and *semi-Malnad* areas, the working plans and any modification thereof should be subject to the approval of the Conservator of Forests also. A list of such forests will be furnished by the Conservator to the Deputy Commissioner concerned.

(4) *Exploitation and disposal of timber, fuel and other produce in the Minor Forests*.—Until working plans are prepared for such Minor Forests by the Forest Department, licenses for the removal of produce therefrom for industrial and commercial purposes on a large scale should not be issued by the Forest Department except with the approval of the Deputy Commissioner or by the Deputy Commissioner except in consultation with the Conservator of Forests.

After the working plans are completed, the raiyats should be given the first refusal to remove timber and fuel required for their *bona-fide* private consumption in the coupes allotted for the year and the Forest Department will be entitled to sell the surplus produce according to the working plan after the requirements of the local population are satisfied.



(5) *Agency for the issue of licenses.*—The present system of both the Forest and the Revenue Officers issuing licenses for the removal of produce from District Forests may be put a stop to and the following procedure adopted:—

(i) Rule 9 of the Rules for the management of District Forests published in Notification No. 245-1800 dated 2nd October 1901, defining the privileges of villagers in unreserved lands may be made applicable to the Minor Forests.

(ii) Permits under Rule 11 of the Rules referred to above should be issued by either of the following officers:

(a) officers of the Revenue Department duly authorised by the Deputy Commissioner;

(b) Licensed vendors of the Forest Department who should be appointed with the approval of the Revenue Department and who will issue permits only for *bona fide* domestic requirements or local consumption and not for industrial or commercial purposes.

(6) *Conservation and improvement.*—This should be left to the Forest Department, the revenue from the Minor Forests and from the sale of village *amarayi* being credited to that department in order to enable it to meet the cost of additional conservancy and staff that it may be found necessary to employ.

(7) *Relation between the officers of the Forest and the Revenue Departments in regard to Minor Forests.*—Under the existing rules, the Deputy Commissioner has no direct control over the Forest Officers in his district, and this in the opinion of the Committee, has rendered the Deputy Commissioner unable to effectively control the management of the Minor Forests by the Forest Officers and to safeguard the interests of the local raiyat population. The Committee therefore recommend that all the officers of the Forest Department should be instructed to abide by and carry out the orders of the Deputy Commissioner in regard to Minor Forests.

The Government have carefully considered the report of the Committee, and are in general agreement with their proposals. They are accordingly pleased to direct as follows:—

I. *Abolition of District Forests and constitution of Minor Forests.*—The term "District Forests" and the definition thereof now contained in the Forest Regulation will be rescinded and in lieu thereof "Minor Forests" will be constituted as proposed by the Committee, necessary action being taken in the Legislative Department to amend the Forest Regulation in order to give effect to the change.

The Minor Forests to be constituted will consist of such unassessed lands of a village or group of villages as form a compact block and as admit of and are fit for being easily conserved and managed by the Forest Department. The other Government lands in the village which are not comprised in the Minor Forests will be available for exploitation by the villagers under the control of the Revenue Department, excepting as regards the reserved trees as well as *tangadi* and *kakke* therein the control over which will continue to be vested in the Forest Department. It should be the ultimate aim to gradually abolish these Minor Forests and convert them into either State Forests or Village Forests as proposed by the Committee.

II. *Management of Minor Forests.*—The "Minor Forests" will be worked by the Forest Department according to working plans which will contain adequate provision for meeting the *bona fide* requirements of the raiyats. The working plans will be prepared by the District Forest Officer and approved by the Deputy Commissioner who will also have power to modify them from time to time, if necessary. The working plans of Minor Forests containing valuable timber trees in the Malnad and Semi Malnad and any modifications that may be made therein will, however, be subject to the approval of the Conservator also, who will refer to Government for their orders in all cases in which there may be difference of opinion between himself and the Deputy Commissioner. A list of such Minor Forests the working plans of which require his approval should be furnished by the Conservator to the Deputy Commissioner concerned.

III. *Exploitation of Minor Forests.*—The rules now in force defining the privileges of raiyats in District Forests will be applicable to the Minor Forests. Permits for the removal of forest produce under the rules by the raiyats for their *bona fide*

domestic and agricultural use will be issued by (1) revenue officers specially authorised by the Deputy Commissioner and not below the rank of Deputy Amildar or (2) by licensed vendors who will be appointed by the Deputy Commissioner. No license will be issued by a licensed vendor or by a revenue officer for the exploitation of a 'Minor Forest' for commercial or industrial purposes. Pending the preparation of working plans and its approval by the Deputy Commissioner, no 'Minor Forest' will be exploited by the Forest Department also for such purposes except with the approval of the Deputy Commissioner as well as the Conservator, cases in which there may be difference of opinion between them being reported to Government for their orders. After the working plans are prepared, it will be open to the Forest Department to work the forest for timber and fuel in accordance with such working plans (provided that the raiyats should be given the first refusal in respect of such timber, etc., in the working coupes as may be required by them for their *bona fide* private use).

IV. *Relationship between the Forest and Revenue Officers*—The Government consider that the Deputy Commissioner should have greater and more effective control over the administration of the Minor Forests in order to enable him to safeguard the interests of the raiyats and grant relief promptly when complaints are made to him. They therefore direct that the District Forest Officer and all other subordinate forest officers in the District should abide by and carry out any instructions which may be given to them by the Deputy Commissioner of the District to whom they should consider themselves as subordinates so far as the administration of the Minor Forests is concerned and that all correspondence of District Forest Officer in respect of the administration of the Minor Forests should be addressed to the Deputy Commissioner except so far as they relate to purely technical matters.

In order to give effect to this order, the Revenue Commissioner is requested to direct the local revenue officers to proceed without delay to mark off, in consultation with the local forest officers, the areas out of the existing District Forests which can advantageously be constituted into Minor Forests as proposed, after a careful examination of the conditions prevailing in each village or groups of villages. He should obtain quarterly statements from the Deputy Commissioners showing the progress made in the constitution of Minor Forests in each district and submit the same to Government with his remarks, a copy of the same being sent to the Conservator of Forests who will communicate his remarks, if any, thereon to Government. Every attempt should be made to have the work completed within two years. Pending the constitution of the Minor Forests, the directions contained in para 6 above regarding the management and exploitation of Minor Forests, and the relation between the Revenue and the Forest Officers will be made applicable mutatis mutandis to the District Forests and their administration.

8. With this clear definition now made of the control, functions and responsibilities of the Forest and the Revenue Departments in respect of the Minor Forests as well as other areas not included in such forests, Government trust that the long standing grievances of the local population consequent on the existing duality of control over the District Forest areas, will be considerably minimised. The scheme detailed above will be in force for a period of three years, at the end of which the situation will be reviewed and the question of revising the scheme, if need be, considered by Government.

By Order of the Government, K. V. N. ANANTARAMAN, Secretary to Government, Revenue Department.

Reorganization of the Co-operative Department.

1. Government Order No. L. 4769-73-C.S. 37-22-2, dated 3rd-6th January 1923, passing orders regarding the reorganization of the Co-operative Department, directing among other things that the number of Inspectors in the Department be fixed at 33 and abolishing the post of Personal Assistant to the Registrar of Co-operative Societies.

2. Government Order No. L. 6151-4-C. S. 37-22-4, dated 6th March 1923, passing orders on the appointment and postings of Assistant Registrars, the allocation of the establishment of the Co-operative Department, etc.